

AMENDED IN SENATE MAY 31, 2001

CALIFORNIA LEGISLATURE—2001–02 SECOND EXTRAORDINARY SESSION

SENATE BILL

No. 68

Introduced by Senator Battin
(Coauthors: Senators Brulte and Poochigian)

May 17, 2001

An act to amend Section 2772 of, and to add Section 351.5 to, the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

SB 68, as amended, Battin. Electricity: blackouts.

Existing law requires the Public Utilities Commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, and among the uses of electricity or gas by those customers. In establishing those priorities, existing law requires the commission to consider certain factors, as prescribed.

This bill would also require the commission in establishing use priorities to ~~include the effect on the health and safety of persons in zones or regions that exceed a temperature of 105 degrees as a priority in making the determination under those provisions.~~

~~Existing law requires the Independent System Operator to manage the transmission of electricity.~~

~~This bill would require the Independent System Operator to consider the effect of zones or regions that reach or exceed a temperature of 105 degrees on the health and safety of persons in a geographic area before ordering rolling blackouts in the geographic area make a determination of the potential effect of extreme temperatures on the health and safety of residential customers. In making this determination, the bill would~~

require the commission to consult with appropriate medical experts and review appropriate literature and research, consider whether providing priority to customers experiencing extreme temperatures would result in increased outage frequency and duration for remaining customers and its effect on their health and safety, and consider whether alternative measures would be appropriate. The bill authorize the commission, to the extent it determines it is in the public interest, to provide priority to customers experiencing extreme temperatures only when temperatures are extreme.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.— The Legislature finds and declares all of the~~
2 ~~following:~~
3 ~~(a) Several cities experience temperatures on average that~~
4 ~~exceed 105 degrees.~~
5 ~~(b) A number of illnesses and deaths result each year from~~
6 ~~overexposure to heat.~~
7 ~~(c) Without electricity, individuals within these areas will be~~
8 ~~potentially exposed to dangerous circumstances that could lead to~~
9 ~~these illnesses and death.~~
10 ~~(d) For all of the reasons specified in the section, the Public~~
11 ~~Utilities Commission and the Independent System Operator~~
12 ~~should take this act into account before ordering rolling blackouts~~
13 ~~in regions where the temperature exceeds 105 degrees.~~
14 ~~SEC. 2.— Section 351.5 is added to the Public Utilities Code, to~~
15 ~~read:~~
16 ~~351.5.— Notwithstanding any other provision of law, the~~
17 ~~Independent System Operator shall consider the effect in zones or~~
18 ~~regions that reach or exceed a temperature of 105 degrees on the~~
19 ~~health and safety of persons in a geographic area before ordering~~
20 ~~rolling blackouts in the geographic area.~~
21 ~~SEC. 3.—~~
22 ~~SECTION 1.~~ Section 2772 of the Public Utilities Code is
23 amended to read:
24 2772. In establishing the priorities pursuant to Section 2771,
25 the commission shall include, but not be limited to, a consideration
26 of all the following:

1 (a) A determination of the customers and uses of electricity and
2 gas, in descending order of priority, which provide the most
3 important public benefits and serve the greatest public need.

4 (b) A determination of the customers and uses of electricity and
5 gas which are not included under subdivision (a).

6 (c) A determination of the economic, social, and other effects
7 of a temporary discontinuance in electrical or gas service to the
8 customers or for the uses determined in accordance with
9 subdivision (a) or (b).

10 ~~(d) The effect on the health and safety of persons in zones or~~
11 ~~regions that exceed a temperature of 105 degrees shall be a priority~~
12 ~~in making the determination under this section.~~

13 *(d) A determination of the potential effect of extreme*
14 *temperatures on the health and safety of residential customers. In*
15 *making this determination, the commission shall do all of the*
16 *following:*

17 *(1) Consult with appropriate medical experts and review*
18 *appropriate literature and research.*

19 *(2) Consider whether providing priority to customers*
20 *experiencing extreme temperatures would result in increased*
21 *outage frequency and duration for remaining customers and its*
22 *effect on the health and safety of those remaining customers.*

23 *(3) To the extent the commission determines it is in the public*
24 *interest to provide priority to customers that experience extreme*
25 *temperatures, it shall provide that priority only when temperatures*
26 *are extreme.*

27 *(4) Consider whether alternative measures are appropriate,*
28 *including, but not limited to, reducing the duration of the outage*
29 *or imposing the outage earlier or later in the day.*

30 (e) Any curtailment or allocation rules, orders, or regulations
31 issued by any agency of the federal government.

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